



Canadian Life & Health
Insurance Association
Association canadienne des
compagnies d'assurances
de personnes

**MINISTRY OF HEALTH: PROPOSED REGULATORY
AMENDMENTS UNDER THE *ONTARIO DRUG
BENEFIT ACT* AND THE *DRUG
INTERCHANGEABILITY AND DISPENSING FEE ACT*
TO MODERNIZE SUBMISSION REQUIREMENTS
FOR “WELL-ESTABLISHED DRUGS”.**

December 1, 2023





INTRODUCTION

The Canadian Life and Health Insurance Association (CLHIA) is pleased to provide its comments to the Ontario government, Ministry of Health, Health Programs and Delivery Division, as they contemplate to introduced regulatory amendments under the *Ontario Drug Benefit Act* and the *Drug Interchangeability and Dispensing Fee Act*. The Ontario government, in introducing these changes, seeks to modernize submission requirements for “well-established drugs.”

As background, the CLHIA is the national trade association for life and health insurers in Canada. Our members account for 99 per cent of Canada’s life and health insurance business. Canada’s insurers play a key role in providing prescription drug coverage to Ontarians that is both comprehensive and sustainable.

In 2022, our industry provided prescription drug coverage to 9.6 million Ontarians and paid out benefits totaling \$5.8 billion dollars.

Our industry works with employers to offer a wide variety of health services through employer sponsored benefit plans. In 2021, insurers paid a record \$40.8 billion in total health claims – up 11% from 2020. Canadians value their benefit plans, which provide them with access to prescription medicines, virtual care, dental care, and mental health supports.

Executive Summary

Our industry strongly supports the modernization of submission requirements for manufacturers of “well-established” brand and generic drug products.

Patient Safety Protected Through Existing Measures

The drugs affected by this Executive Officer Notice are drug products containing substances that have been approved by Health Canada and sold in Canada for sufficient time and in sufficient quantity to establish their safety and effectiveness. The safety protections provided by a second layer of review provided solely by the province of Ontario, are not provided in any other jurisdiction and could be considered a barrier to entry for generics.

Aligning Ontario’s submission requirements for brand and generic drugs with Health Canada’s requirements for approving “well-established” drugs for sale in Canada removes barriers and encourages manufacturers of these drugs to seek funding under the ODB program and/or request designation of these drugs as interchangeable.

This change would facilitate timelier and broader access to cost-effective drugs in Ontario. It would improve Ontarians’ access to publicly funded, lower cost generic drugs under the ODB program, as well as potentially enhance access to lower cost generic drugs for uninsured Ontarians.



CONCLUSION

The industry greatly appreciates the opportunity to provide comments on proposed regulatory amendments under the *Ontario Drug Benefit Act* and the *Drug Interchangeability and Dispensing Fee Act*. Should you have any questions, you may contact Joan Weir, Vice President, Group Benefits, at jweir@clhia.ca.



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